

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

THOMAS CANNON

PETITIONER

V.

CIVIL ACTION NO. 3:17-CV-488-DPJ-FKB

CHERON NASH

RESPONDENT

ORDER

This habeas petition brought under 28 U.S.C. § 2241 is before the Court on the Report and Recommendation [12] of United States Magistrate Judge F. Keith Ball. Because Petitioner Thomas Cannon was released from prison on January 16, 2019, Judge Ball recommended the petition—which challenged the life sentence imposed on him in the Central District of Illinois in 2006—be dismissed for lack of a case or controversy. *See Zalawadia v. Ashcroft*, 371 F.3d 292, 297 (5th Cir. 2004) (explaining that released prisoner’s habeas petition presents constitutional case or controversy if petitioner “demonstrates ‘some concrete and continuing injury other than the now-ended incarceration’—a ‘collateral consequence of the conviction’”) (quoting *Spencer v. Kemna*, 523 U.S. 1, 7 (1998)). Cannon failed to file an objection to the Report and Recommendation, and the time to do so has now expired.<sup>1</sup>

Because the Court agrees with Judge Ball that Cannon’s habeas petition no longer presents a case or controversy, and because Cannon failed to keep the Court informed of his current address, it adopts the Report and Recommendation [12] as the opinion of the Court. Cannon’s habeas petition is dismissed.

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<sup>1</sup> The copy of the Report and Recommendation that the clerk mailed Cannon was returned as undeliverable. Notice [13].

A separate judgment will be entered in accordance with Federal Rule of Civil Procedure

58.

**SO ORDERED AND ADJUDGED** this the 14th day of May, 2019.

*s/ Daniel P. Jordan III*  
CHIEF UNITED STATES DISTRICT JUDGE